

BOISE, THURSDAY, JUNE 8, 2006, AT 9:00 A.M.

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 31968

KENNETH WORKMAN,)
)
Petitioner-Appellant,)
)
v.)
)
STATE OF IDAHO,)
)
Respondent.)
_____)

Appeal from the District Court of the Fourth Judicial District, State of Idaho, Ada County. Hon. Deborah A. Bail, District Judge.

Nevin, Benjamin & McKay, LLP, Boise, for appellant.

Hon. Lawrence G. Wasden, Attorney General; Courtney E. Beebe, Deputy Attorney General, Boise, for respondent.

Kenneth Workman appeals the district court's denial of his petition for post-conviction relief.

While driving under the influence of drugs, Workman struck and severely injured two individuals who had stopped along the freeway to adjust a load of furniture in the bed of a pickup. Workman was charged with and pled guilty to two counts of aggravated DUI and with being a persistent violator. Workman was sentenced to concurrent determinate life sentences on both counts. Workman's judgment of conviction and life sentences were affirmed on direct appeal. *See State v. Workman*, Docket No. 31022 (Ct. App. September 13, 2005) (unpublished); *State v. Workman*, Docket No. 28864 (Ct. App. July 1, 2004) (unpublished).

Workman subsequently filed a petition for post-conviction relief. His petition raised numerous grounds for relief. The state filed a combined answer and motion to dismiss. The district court thereafter issued a memorandum decision summarily dismissing all of Workman's claims.

Workman appeals, raising issues of whether the district court erred in denying his motion for appointment of counsel to represent him in his post-conviction proceedings; in failing to issue a notice of intent to dismiss; and in determining that Workman failed to raise a genuine issue of material fact regarding the effectiveness of trial counsel and the validity of his guilty plea.

BOISE, THURSDAY, JUNE 8, 2006, AT 10:30 A.M.

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 32323

STATE OF IDAHO,)
)
Plaintiff-Respondent,)
)
v.)
)
ROBERT CROGHAN,)
)
Defendant,)
)
and)
)
ALADDIN BAIL BONDS,)
)
Real Party in Interest-Appellant.)
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Appeal from the District Court of the Fourth Judicial District, State of Idaho, Ada County. Hon. Michael E. Wetherell, District Judge.

Dennis M. Charney, Eagle, for appellant.

Hon. Lawrence G. Wasden, Attorney General; Courtney E. Beebe, Deputy Attorney General, Boise, for respondent.

Robert Croghan was charged with two counts of felony forgery. Aladdin Bail Bonds posted a \$25,000 bond and Croghan was released from custody pending further criminal proceedings. When Croghan subsequently failed to appear at a scheduled hearing, the district court issued a bench warrant for his arrest and ordered the bond forfeited.

Ninety days later, Aladdin filed a motion to set aside forfeiture, asking the district court to allow it to continue searching for Croghan in order to bring him before the Court. The district court denied Aladdin's motion because it found that it did not have discretion to extend the time for enforcement of bond forfeiture.

Aladdin appeals, arguing the district court abused its discretion by failing to recognize that it had discretion to set aside the forfeiture.

BOISE, THURSDAY, JUNE 8, 2006, AT 1:30 P.M.

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 31833

LAWRENCE D. LEWIS,)
)
Plaintiff-Appellant,)
)
v.)
)
STATE OF IDAHO, DEPARTMENT OF)
TRANSPORTATION,)
)
Defendant-Respondent.)

Appeal from the District Court of the First Judicial District, State of Idaho, Bonner County. Hon. Steven C. Verby, District Judge.

Stanley Crow, Boise, and William J. Olson, P.C., McLean, Virginia, for appellant.

Hon. Lawrence G. Wasden, Attorney General; Joseph T. Thomas, Deputy Attorney General, Idaho Falls, for respondent.

Lawrence D. Lewis attempted to renew his driver's license but refused to provide his social security number as required by the application. The Idaho State Department of Motor Vehicles suspended Lewis's license, and his renewal application was denied. Lewis requested an administrative hearing, claiming that his social security number was invalid and the requirement to provide a social security number violated his free exercise of religion. Following an administrative hearing and appeal, the director of the department issued a final order affirming the department's decision to not renew Lewis's license.

Lewis appealed from the director's final order to the district court. The district court remanded the case back to the department for further findings. After a hearing on remand, the department concluded that Lewis had a sincere religious motivation for his claim. The department then articulated the compelling state interests that were satisfied by the requirement for license applicants to provide a social security number and how it was the least restrictive means of meeting those interests. The department's order on remand denied renewal of Lewis's license. Lewis appealed to the district court, which affirmed the department's final denial of Lewis's renewal of his driver's license in the order on remand. Lewis again appeals.

BOISE, TUESDAY, JUNE 13, 2006, AT 9:00 A.M.

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 31758

STATE OF IDAHO,)
)
Plaintiff-Appellant,)
)
v.)
)
ADRIAN ALBOR CARDENAS,)
)
Defendant-Respondent.)

Appeal from the District Court of the Third Judicial District, State of Idaho, Canyon County. Hon. Renae J. Hoff, District Judge.

Hon. Lawrence G. Wasden, Attorney General; Lori A. Fleming, Deputy Attorney General, Boise, for appellant.

Molly J. Huskey, State Appellate Public Defender; Elizabeth A. Allred, Deputy Appellate Public Defender, Boise, for respondent.

Sheriff's deputies responded to a Nampa residence to look for a juvenile runaway named Sarah. The deputies found Adrian Albor Cardenas in a vehicle parked in the driveway. Cardenas got out and began walking away. A deputy called Cardenas and Cardenas turned and came back. The deputy asked Cardenas if he knew Sarah. Cardenas replied that he did not. The deputy then asked Cardenas who owned the car, and Cardenas responded that it belonged to a friend. Cardenas consented to a search of the vehicle's glove box, which produced four different checkbooks. Dispatch confirmed that the checkbooks were stolen. While waiting for an investigator to arrive, a deputy noticed a marijuana cigarette under the vehicle. Cardenas denied any knowledge of the cigarette, but after one deputy insisted that he tell the truth, Cardenas admitted that it belonged to him. Another search, incident to Cardenas' arrest, revealed Joker rolling papers in a pack of cigarettes from Cardenas' pocket. The vehicle was seized and a search pursuant to a warrant produced a loaded handgun as well as marijuana and amphetamine.

Cardenas was charged with concealing a dangerous weapon and possession of marijuana, amphetamine, and drug paraphernalia. At the suppression hearing, the district court ruled that continued detention of Cardenas was unlawful after Cardenas said he did not know the runaway, Sarah. The state appeals, raising the issue of whether the district court erred in granting the motion to suppress evidence.

